

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

FILED  
SEP 19 2018  
CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY *[Signature]* DEPUTY CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESUS MARIO MATA HERNANDEZ (1),

Defendant.

CRIMINAL NO. **SA18CR0693** DAE

**INDICTMENT**

[Vio.: 21 U.S.C. §§ 841(a)(1),  
841(b)(1)(A): Possession  
With Intent to Distribute Meth;  
18 U.S.C. § 922(g)(5) Possession  
of a Firearm by an Illegal Alien]

**COUNT ONE**

[21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A)]

That on or about September 11, 2018, in the Western District of Texas, Defendant,

**JESUS MARIO MATA HERNANDEZ (1),**

did possess with the intent to distribute a controlled substance, which offense involved five-hundred (500) grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A).

**COUNT TWO**

[18 U.S.C. § 922(g)(5)]

On or about September 11, 2018, in the Western District of Texas, Defendant,

**JESUS MARIO MATA HERNANDEZ (1),**

then being an alien illegally and unlawfully in the United States did knowingly possess in and affecting interstate and foreign commerce a firearm, that is, a Palmetto State Arms Model AR-15 5.56 caliber rifle serial number PA107919 and a Palmetto State Arms Model AR-15 5.56 caliber rifle serial number LW325519, in violation of Title 18, United States Code, Sections 922(g)(5).

**NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE**

**[See Fed. R. Crim. P. 32.2]**

This Notice of Demand for Forfeiture includes but is not limited to the property described below in Paragraph III.

**I.**

**Drug Violations and Forfeiture Statutes**

**[Title 21 U.S.C. §§ 841(a)(1) & (b)(1)(A),  
subject to forfeiture pursuant to Title 21 U.S.C. §§ 853(a)(1) and (2)]**

As a result of the foregoing criminal violations set forth in Count One, the United States of America gives notice to Defendant **JESUS MARIO MATA HERNANDEZ** of its intent to seek the forfeiture of the property described below upon conviction pursuant to Fed. R. Crim. P. 32.2 and Title 21 U.S.C. §§ 853(a)(1) and (2), which states:

**Title 21 USC § 853. Criminal forfeitures**

**(a) Property subject to criminal forfeiture**

Any person convicted of a violation of this subchapter or subchapter II of this chapter punishable by imprisonment for more than one year shall forfeit to the United States, irrespective of any provision of State law –

- (1)** any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation;
- (2)** any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

**II.**

**Firearms Violation and Forfeiture Statutes**

**[Title 18 U.S.C. § 922(g)(5), subject to forfeiture pursuant to Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461]**

As a result of the foregoing criminal violation set forth in Count Two, the United States of America gives notice to Defendant **JESUS MARIO MATA HERNANDEZ** of its intent to seek the forfeiture of the property described below upon conviction pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461, which states:

**Title 18 USC § 924. Penalties**

(d)(1) Any firearm or ammunition involved in or used in any knowing violation of subsection . . . (g) . . . shall be subject to seizure and forfeiture . . . under the provisions of this chapter . . . .

**III.**

**Properties**

1. Palmetto State Arms Model AR-15 5.56 caliber rifle serial number PA107919;
2. Palmetto State Arms Model AR-15 5.56 caliber rifle serial number LW325519; and
3. Any related ammunition and firearm accessories.

A TRUE BILL

  
Foreperson

JOHN F. BASH  
UNITED STATES ATTORNEY

By: 

GREGORY J. SUROVIC  
Assistant United States Attorney